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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application Serial No. .... 10/047,198  
Filing Date ..... October 26, 2001  
Inventorship ..... Gilbert et al.  
Assignee ..... Pyrotek, Inc.  
Group Art Unit ..... 3745  
Examiner ..... Ninh H. Nguyen  
Attorney's Docket No. .... PY2-023  
Customer No. .... 021567  
Title ..... Molten Metal Pump Particle Passage System

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**- OFFICE ACTION NOT RECEIVED**

1. I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Office Action forming the basis of the abandonment was not received by our offices.
2. I hereby state:
  - a. The Office Action which apparently was indicated to have been mailed on May 7, 2003, was not received by this office.
  - b. I have searched of the file jacket and the docket records in my office indicates that this Office Action was not received.
3. Our docketing software prints an entry on a separate page for each response to an office action received, and each office action received in this office first goes to docketing for such an entry. I have searched our office records and the file in question, and there is no such entry.
4. In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn.

5. The petition fee (37 C.F.R. §1.17(h)-\$130.00) is paid as follows:

- Attached is a fee transmittal (in duplicate for fee processing) and check # 141612 in the amount of \$130.00.
- Authorization is hereby made to charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 23-0925.

Respectfully submitted,

Dated: 2/14/04

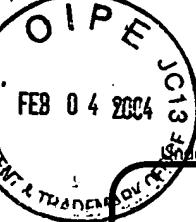
By: Mark W. Hendrickson  
Mark W. Hendrickson, Reg. No. 32,356  
Wells St. John, P.S.  
601 W. 1<sup>st</sup> Avenue, Suite 1300  
Spokane, WA 99201-3828  
Tel. No.: (509)624-4276

E 979976545

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

Application Number	10/047,198
Filing Date	October 26, 2001
First Named Inventor	Ronald E. Gilbert
Examiner Name	Ninh H. Nguyen
Art Unit	3745
Attorney Docket No.	PY2-023

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

 Deposit Account:

Deposit Account Number	23-0925
Deposit Account Name	Well St. John, P.S.

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee  
 To the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0.00)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 65	2051	65	Surcharge - late filing fee or oath	
1052 50	2052 25	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	1053	130	Non-English specification	
1812 2,520	1812 2,520	1812	2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	2251	55	Extension for reply within first month	
1252 420	2252 210	2252	210	Extension for reply within second month	
1253 950	2253 475	2253	475	Extension for reply within third month	
1254 1,480	2254 740	2254	740	Extension for reply within fourth month	
1255 2,010	2255 1,005	2255	1,005	Extension for reply within fifth month	
1401 330	2401 165	2401	165	Notice of Appeal	
1402 330	2402 165	2402	165	Filing a brief in support of an appeal	
1403 290	2403 145	2403	145	Request for oral hearing	
1451 1,510	1451 1,510	1451	1,510	Petition to institute a public use proceeding	
1452 110	2452 55	2452	55	Petition to revive - unavoidable	
1453 1,330	2453 665	2453	665	Petition to revive - unintentional	
1501 1,330	2501 665	2501	665	Utility issue fee (or reissue)	
1502 480	2502 240	2502	240	Design issue fee	
1503 640	2503 320	2503	320	Plant issue fee	
1460 130	1460 130	1460	130	Petitions to the Commissioner	130.00
1807 50	1807 50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	1806	180	Submission of Information Disclosure Stmt	
8021 40	8021 40	8021	40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	2801	385	Request for Continued Examination (RCE)	
1802 900	1802 900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

## SUBMITTED BY

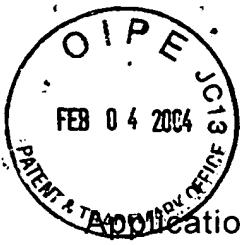
(Complete if applicable)

Name (Print/Type)	Mark W. Hendrickson	Registration No. (Attorney/Agent)	32,356	Telephone	509/624-4276
Signature		Date	2/4/04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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Examiner ..... Ninh H. Nguyen  
Attorney's Docket No. ..... PY2-023  
Customer No. ..... 021567  
Title ..... Molten Metal Pump Particle Passage System

**TRANSMITTAL LETTER**

To: Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

From: Wells St. John P.S.  
601 W. First Avenue, Suite 1300  
Spokane, WA 99201-3828  
Telephone: (509) 624-4276  
Fax: (509) 838-3424

**Enclosed are:**

- 1) Return Receipt Postcard
- 2) Transmittal Letter
- 3) Check #141612 for \$130.00
- 4) Fee Transmittal (in duplicate for fee processing)
- 5) Petition to Withdraw Holding of Abandonment – Office Action Not Received

Small Entity Status is claimed.

Large Entity Status Applies.

**Deposit Account Authorization** - The Commissioner is hereby authorized to charge payment of fees or credit overpayment to Deposit Account No. 23-0925 in connection with: any patent application processing fees under 37 CFR 1.17; and any filing fees under 37 CFR 1.16 for the presentation of extra claims.

Date: 2/6/04

By: Mark W. Hendrickson  
Mark W. Hendrickson  
Reg. No. 32,356